

SUPERIOR COURT OF THE STATE OF CALIFORNIA

ALAMEDA COUNTY

FOR THE COUNTY OF ALAMEDA

MAY 1 3 2019

CLERK OF THE SUPERIOR COURT

COORDINATION PROCEEDING SPECIAL TITLE (RULE 3.550)

ROUNDUP PRODUCTS CASES

THIS DOCUMENT RELATES TO:

Pilliod, et al. v. Monsanto Company, et al. Case No.: RG17862702

JCCP NO. 4953

ASSIGNED FOR ALL PURPOSES TO JUDGE WINIFRED SMITH

DEPARTMENT 21

VERDICT FORM FOR ALVA PILLIOD

Trial Date: March 18, 2019

VERDICT FORM FOR ALVA PILLIOD

1	<u>VERDICT FORM</u>
2	PLAINTIFF ALVA PILLIOD
3	We, the Jury, answer the questions submitted to us as follows:
4	
5	CLAIM OF DESIGN DEFECT
6	1. Did Roundup fail to perform as safely as an ordinary consumer would have expected when used or misused in an intended or reasonably foreseeable way?
7	Yes No
8	res No
9	
.0	
1	If your answer to question 1 is yes, then answer question 2. If you answered no, proceed to question 3.
2	
3	2. Was the design of Roundup a substantial factor in causing harm to Alva Pilliod?
.4	Yes No
.5	
16	
17	Answer question 3.
8	
9	CLAIM OF STRICT LIABILITY—FAILURE TO WARN
20	3. Did Roundup have potential risks that were known or knowable in light of the scientific and
21	medical knowledge that was generally accepted in the scientific community at the time of their manufacture, distribution or sale?
22	manufacture, distribution of sure.
23	Yes
24	
25	
26	If your answer to question 3 is yes, then answer question 4. If you answered no, proceed to
27	question 8.
28	

1	4.	Did the potential risks of Roundup present a substantial danger to persons when used in accordance with widespread and commonly recognized practice?				
2		Yes No				
3						
4						
5		If your answer to question 4 is yes, then answer question 5. If you answered no, proceed to				
6		question 8.				
7	5.	Would ordinary consumers have recognized the potential risks?				
8		Voc.				
9		Yes No				
10	:					
11						
12		If your answer to question 5 is no, then answer question 6. If you answered yes, proceed to				
13		question 8.				
14	6.	Did Monsanto fail to adequately warn of the potential risks?				
15		Yes No				
16						
17						
18		If your answer to question 6 is yes, then answer question 7. If you answered no, proceed to				
19		question 8.				
20	7.	Was the lack of sufficient warnings a substantial factor in causing harm to Alva Pilliod?				
21		Yes No				
22		165				
23						
24						
25		Go to question 8.				
26.						
27						

28

1	CLAIM OF NEGLIGENGE		
	8.	Was Monsanto negligent in designing, manufacturing, or supplying Roundup?	
2		Yes No	
3			
4			
5		If your answer to question 8 is yes, then answer question 9. If you answered no, proceed to	
6		question 10.	
7	9.	Was Monsanto's negligence a substantial factor in causing harm to Alva Pilliod?	
8		V	
9		Yes	
0			
1		Go to Question 10.	
2			
.3		CLAIM OF NEGLIGENT FAILURE TO WARN	
4	10.	Did Monsanto know or should it reasonably have known that Roundup was dangerous or was	
15		likely to be dangerous when used in accordance with widespread and commonly recognized practice?	
6			
7		Yes No	
.8			
9			
20		If your answer to question 10 is yes, then answer question 11. If you answered no, proceed to	
21		question 15.	
22	11.	Did Monsanto know or should it reasonably have known that users would not realize the danger	
23	***		
24		Yes No	
25			
26			
27		If your answer to question 11 is yes, then answer question 12. If you answered no, proceed to	
28		question 15.	

1	12.	Did Monsanto fail to adequately	warn of the danger or	instruct on the safe use of Roundup?	
2		Yes		No .	
3		\boxtimes			
4	: 				
5		If your answer to question 12 is question 15.	yes, then answer quest	ion 13. If you answered no, proceed to	
6	,				
7	13.	Would a reasonable manufacture have warned of the danger or ins		under the same or similar circumstances of Roundup?	
8		have warned of the danger of his	directed on the sale use	or Roundup:	
9		Yes		No	
10		\boxtimes			
11		If your answer to question 13 is	yes, then answer quest	ion 14. If you answered no, proceed to	
12	question 15				
13	14.	Was Monsanto's failure to warn	a substantial factor in	causing harm to Alva Pilliod?	
14				· · · · · · · · · · · · · · · · · · ·	
15		Yes		No	
16		\boxtimes		·	
17					
18		Go to Question 15.		,	
19		,	CLAIM OF DAMAG	FS	
20					
21 22	If you answered yes to question 2, 7, 9, or 14, then answer the questions below about damages for Alva Pilliod. If you did not answer or answered no to question 2, 7, 9 and 14, stop here, answer no further questions, and have the presiding juror sign and date this form.				
23					
24	15.	What are Alva Pilliod's damages	3?		
25	Doct as	conomic loss:* \$_	47 796.	0 1	
26	rastec	conomic loss; 5_	47,296. 8 millio	1	
27	Past no	oneconomic loss: \$_	8 millio	Ŋ	
28	* If liab	bility is found, the amount stipulated	by the parties for past ec	onomic damages is \$47.296.01	

VERDICT FORM FOR ALVA PILLIOD

1	Future noneconomic loss: \$ 10 million
2	Future noneconomic loss: \$ \[\D \ \millio \mathred{\lambda} \]
3	Go to Question 16.
4	PUNITIVE DAMAGES
5	16. Did Monsanto engage in conduct with malice, oppression or fraud committed by one or more officers, directors or managing agents of Monsanto acting on behalf of Monsanto?
6	
7	Yes No
8	
9	
10	If your answer to question 16 is yes, then answer question 17. If you answered no, stop here, answer no further questions, and have the presiding juror sign and date this form.
11	answer no further questions, and have the presiding juror sign and date this form.
12	17 NII
13	17. What amount of punitive damages, if any, do you award to Alva Pilliod?
14	s 1 billion
15	
16	
17	Signed:
18	Presiding Juror
19	
20	Dated:5'-13-19
21	
22	
23	
24	